

RW Dunning
JC Henrich
BW Roberts



Diamond Shamrock
Coal Company

orig file
mine file
MA Wright
DR Nielson

January 14, 1985

ACT/OIS/009
#7 #9

JAN 16 1985
DIVISION OF
OIL, GAS & MINING

Ms. Diane Nielson
Division of Oil, Gas and Mining
355 W. North Temple
Three Triad Center
Suite 350
Salt Lake City, Utah 84180

RE: Cessation Order given to Trail Mountain

Dear Ms. Nielson;

On December 20, 1984, Sandy Pruitt visited Trail Mountain on an inspection. N.O.V. No. 54-2-25-1 was issued for mine discharge into Cottonwood Creek.

For this N.O.V., representing Trail Mountain, I take full responsibility. It must be pointed out that on December 19, 1984, the Wilberg disaster occurred. All available people from Trail Mountain were helping in rescue efforts. Myself and one other man were the only people at the minesite at this time. Without my knowledge the pump to the outside had been energized allowing water to pump into the creek. We had installed this pipeline in October, on the pretext we would receive permission to discharge into the creek.

As early as October, Allen had spoken with Tom Munson on this subject. Again in November, Allen personally visited the Department of Oil, Gas and Mining to discuss criteria needed to get permission to pump out into Cottonwood Creek. This was followed with correspondence dated November 28, 1984. (attached)

We are getting to the point where the mine water is becoming a serious problem. Our objective was to keep our sed pond dry while we attempted to clean it, thus, the permission to discharge is of vital importance. All water quality analysis is well below state and federal requirements.

In speaking with Tom Munson, Monday, January 7, 1985, he was very apologetic to the fact that someone had dropped the ball on this issue and he assured me something would get done soon.

Sandy Pruitt instructed me to shut the pump off and disconnect the pipe (singular). The mine power was de-energized immediately. The pipe was disconnected on the 26th of December, by Allen Childs, and couplers, etc., were stored in the warehouse.

The N.O.V. reads in "Remedial Action Required," (B) Dismantle the connection pipe (singular) to Cottonwood Creek and store inside material storage yard until discharge permit is obtained. (Time for abatement B.) Dismantle the pipe (singular) within one week or no later than 12-27-84.

This was done December 26th, by Allen Childs. The connecting (T) and couplers were put inside parts storage. At the time the N.O.V. was issued my understanding was to disconnect the pipe as was done. If Sandy Pruitt had explained to move the entire pipeline I would have questioned the necessity and or purpose. The pipeline is on a steep side hill and due to the Wilberg disaster and having no one at the minesite to move the entire pipeline would be unreasonable. I re-iterate that if she had said to move the entire line I would have objected, or at least discussed it.

On January 10, 1985, Dave Loft issued a C.O. because of failure to meet the time set for abatement of a violation. Afternoon, January 10, several lengths were taken apart and stacked, other having been frozen and could not be moved. I must question Mr. Lofts motive. This was clearly a miscommunication and mis-understanding of the N.O.V. and does not warrant this type of action. Trail Mountain has shown good faith for three years and need not apologize to anyone. Mr. Lofts flagrant misuse of judgement and authority is uncalled for. This action stands to jepordize the relationship we have obtained. Our stance will remain firm. Your consideration would be greatly appreciated in this matter.

Sincerely,



Joseph R. Fielder
General Manager